

REMARKS

The Non-Final Office Action of June 20, 2003 has been fully considered by the Applicants. In view of the following remarks, Applicants respectfully request the withdrawal of the rejections and issuance of a Notice of Allowance.

Applicants would first like to thank the Examiner for providing the requested clarification and removing the Finality of the previous Office Action.

The Examiner has rejected claims 1-16 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Prochazka in view of Nagayama, Wei ('402), and Scott, Jr. Applicants respectfully traverse.

The Prochazka densifying process is directed to the formation of optically translucent ceramic bodies of mullite. The Examiner states it would have been obvious to use the starting material of Nagayama and Wei '402 and the polishing method of Scott, Jr. in the process of Prochazka to achieve the present article. Applicants respectfully assert that even if this were done, the resultant process and product would not result in the present invention, in which a resultant article includes about 99.9% alumina and up to about 0.5% MgO (claims 1 and 14).

The Examiner states that Nagayama, at column 27, lines 41-46, teaches using isostatic pressure and using starting material containing 99.9% alumina. Nagayama actually teaches, in the referenced passage, alumina having a purity of 99.99%. It does not teach a starting material containing 99.9% alumina as alleged by the Examiner. Rather, at column 28, lines 5-18, Nagayama teaches adding distilled water, a dispensing agent, and a binder to the starting material. By contrast, the present invention claims a ceramic body including 99.9% alumina (claim 1). This amount is not disclosed, taught, or suggested by Nagayama.

Additionally, the Examiner states that Wei '402 teaches the use of MgO in an alumina article. The Examiner fails to note that Wei '402 also requires the presence of yttria, as well as terbium to form terbium aluminate during lamp formation (column 2, lines 55-68). Applicants respectfully submit that no motivation is provided by Wei '402 that would lead one skilled in the art to eliminate primary components of the Wei '402 invention while incorporating another primary component of Wei '402 in the present invention.

Applicants therefore submit that claims 1-16 and 19 would not have been obvious in view of Prochazka, Nagayama, Wei '402, and Scott, Jr. due to the disparity between the 99.9% pure alumina of Prochazka and the inclusion of 99.9% alumina in the present body, as well as the lack of guidance in Wei '402 that would lead one of skill in the art to choose one primary component of the lamp while eliminating other primary components. Applicants further submit the combination of references suggested by the Examiner, even if obvious, would not result in the body of the present invention due to the disparity between the alumina content taught in Prochazka and the alumina content claimed in the present invention (claims 1 and 14). Applicants thus respectfully request the 35 U.S.C. § 103(a) rejections of claims 1-16 and 19 be withdrawn.

The Examiner has rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Prochazka in view of Nagayama - Wei '402 and Scott, Jr., and further in view of Wei' 714. Applicants respectfully traverse.

Applicants submit that, for the reasons discussed above, claim 18 would not have been obvious in view of the cited references. Specifically, claim 18, which is dependent from claim 14, requires the body to include 99.9% alumina. None of the cited references, including Nagayama, teach or suggest a body including 99.9% alumina. Nagayama merely teaches a body including alumina with 99.99% purity. This is clearly distinguishable from claim 18, as Nagayama would not lead one of skill in the art to form a body having 99.9% alumina. Applicants therefore respectfully request the 35 U.S.C. § 103(a) rejection of claim 18 be removed.

Finally, the Examiner has rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over Scott, Jr., in view of Prochazka and Nagayama - Wei '402. Applicants respectfully traverse.

Applicants respectfully submit that claim 20 is directed to a discharge lamp including "a discharge vessel being constructed from a polycrystalline material including about 99.9% alumina." This alumina concentration is neither taught nor suggested by the cited references. Moreover, no motivation exists that would lead one of ordinary skill in the art to utilize the claimed concentration. No combination of the cited references would result in the discharge lamp of claim 20 due to the lack of guidance in

selecting the claimed concentration. Applicants respectfully request that 35 U.S.C. § 103(a) rejection be withdrawn.


In view of the above remarks, Applicants submit the present application is in condition for allowance and respectfully request the rejections be withdrawn.

It is believed that no fees are due in connection with this response. If, however, any additional fees are due, Applicants authorize deduction of that fee from Deposit Account No. 06-0308.

Respectfully submitted,

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DATED: August 20, 2003


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